

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

JOSHUA HILL (CABN 250842)
Assistant United States Attorney

1301 Clay Street, Suite 340-S
Oakland, California 94612
Telephone: (510) 637-3740
Facsimile: (510) 637-3724
E-Mail: Joshua.Hill2@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-08-720 SBA
)	
Plaintiff,)	STIPULATION AND ORDER TO
)	CONTINUE STATUS CONFERENCE
v.)	AND EXCLUDE TIME UNDER THE
)	SPEEDY TRIAL ACT
MARK MALDONADO,)	
)	
Defendant.)	
_____)	

IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its attorney, Joshua Hill, and the defendant through his attorney, Lynda Joy Westlund, that the status hearing presently set for July 7, 2009, be continued to July 28, 2009 at 9:00 a.m.

The request for a continuance is due to defense counsel's scheduling conflict. In addition, defense counsel continues to investigate the case and review the discovery produced by the government. The parties agree that the delay is not attributable to lack of diligent preparation on the part of either party. For these reasons, the parties request that time under the Speedy Trial Act be excluded based on the defendant's need for reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The parties agree that the waiver covers all time between July 7, 2009 and July 28, 2009.

1 IT IS SO STIPULATED:

2 Dated: July 6, 2009

/S/
LYNDA JOY WESTLUND
Attorney for Maldonado

5 Dated: July 6, 2009

/S/
JOSHUA HILL
Assistant United States Attorney

8 **ORDER**

9 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this
10 matter now scheduled for July 7, 2009 is hereby rescheduled for July 28, 2009 at 9:00 a.m.
11 Based upon the representation of counsel and for good cause shown, the Court also finds that
12 failing to exclude the time between July 7, 2009 and July 28, 2009 would unreasonably deny the
13 parties the reasonable time necessary for effective preparation, taking into account the exercise
14 of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice
15 served by excluding the time between July 7, 2009 and July 28, 2009 from computation under
16 the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.
17 Therefore, it is hereby ordered that the time between July 7, 2009 and July 28, 2009 shall be
18 excluded from computation under the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and
19 (B)(iv).

21 DATED: July 7, 2009


HONORABLE SAUNDRA B. ARMSTRONG
United States District Court Judge